

Date: December 2, 2004
To: Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff
From: Cornelia G. Clark, Clerk
Re: COURT OF APPEALS MONTHLY STATISTICAL REPORT - NOVEMBER

Cumulative: January 1, 2004 through November 30, 2004

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Carried Over					
<u>from December 31</u>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955
<u>Cases Filed</u>	<u>924</u>	<u>664</u>	<u>657</u>	<u>759</u>	<u>3004</u>
Civil	417	362	351	442	1572
Criminal	507	302	306	317	1432
<u>Cases Docketed</u>	<u>1555</u>	<u>1170</u>	<u>996</u>	<u>1281</u>	<u>5002</u>
Civil	665	638	548	764	2615
Criminal	890	532	448	517	2387
<u>Cases Reinstated</u>	<u>10</u>	<u>10</u>	<u>5</u>	<u>24</u>	<u>49</u>
Civil	7	7	4	17	35
Criminal	3	3	1	7	14
<u>Cases Terminated*</u>	<u>724</u>	<u>742</u>	<u>628</u>	<u>800</u>	<u>2894</u>
Opinion-Civil	102	145	146	227	620
Opinion-Criminal	<u>60</u>	<u>83</u>	<u>73</u>	<u>105</u>	<u>321</u>
Sub-Total	162	228	219	332	941
Sum.Disp.-Civil	77	80	48	62	267
Sum.Disp.-Criminal	<u>194</u>	<u>162</u>	<u>132</u>	<u>122</u>	<u>610</u>
Sub-Total	271	242	180	184	877
Memo Opinion-Civil	155	134	108	147	544
Memo Opinion-Criminal	<u>92</u>	<u>60</u>	<u>76</u>	<u>69</u>	<u>297</u>
Sub-Total	247	194	184	216	841
Other-Civil	34	55	38	52	179
Other-Criminal	<u>10</u>	<u>23</u>	<u>7</u>	<u>16</u>	<u>56</u>
Sub-Total	44	78	45	68	235
<u>Correction for Error</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-1</u>	<u>-1</u>
Civil	-3	+3	+9	+4	+13
Criminal	+3	-3	-9	-5	-14
<u>CASES PENDING</u>	<u>768</u>	<u>443</u>	<u>384</u>	<u>561</u>	<u>2156</u>
CIVIL	282	229	223	319	1053
CRIMINAL	486	214	161	242	1103

*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

CASE ACTIVITY DURING MONTH OF NOVEMBER:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Cases Filed	<u>63</u>	<u>33</u>	<u>49</u>	<u>66</u>	<u>211</u>
Civil	26	15	31	37	109
Criminal	37	18	18	29	102
Cases Terminated	<u>67</u>	<u>60</u>	<u>55</u>	<u>67</u>	<u>249</u>
Opinion-Civil	14	22	13	12	1-1/4, 1-2/4 61
Opinion-Criminal	5	5	8	10	1-1/4, 1-2/4 28
Sum.Disp.-Civil	6	5	3	8	22
Sum.Disp.-Criminal	14	7	16	1-1/3, 1/4/3 18	4-1/4 55
Memo Opinion-Civil	18	15	6	11	50
Memo Opinion-Crim.	8	4	5	3	20
Other-Civil	2	1	2	4	9
Other-Criminal	0	1	2	1	4
Cases Reinstated	<u>0</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>
Civil	0	0	1	2	3
Criminal	0	0	0	0	0
Correction for Error	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	-3	0	0	0	-3
Criminal	+3	0	0	0	+3
Notices of Appeal Filed:	I	II	III	IV	TOTAL
One-Judge Appeals:	<u>5</u>	<u>7</u>	<u>13</u>	<u>16</u>	<u>41</u>
Civil	3	2	7	5	17
Criminal	2	5	6	11	24
Three-Judge Appeals:	<u>48</u>	<u>23</u>	<u>29</u>	<u>43</u>	<u>143</u>
Civil	13	11	18	25	67
Criminal	35	12	11	18	76
Sup. Writs Filed:	5	2	2	4	13
Sup. Writs Terminated:	<u>9</u>	<u>5</u>	<u>1</u>	<u>9</u>	<u>24</u>
Granted	0	1	0	1	2
Denied, Dism'd, Other	9	4	1	8	22
Sup. Writs Pending:	13	8	4	13	38
Leave to Appeal Filed:	5	2	6	5	18
Leave to Appeal Term'd:	<u>5</u>	<u>4</u>	<u>6</u>	<u>0</u>	<u>15</u>
Granted	1	0	2	0	3
Denied, Dism'd, Other	4	4	4	0	12
Leave to Appeal Pending:	6	6	7	8	27

ADDITIONAL MATTERS DURING MONTH OF NOVEMBER:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Motions Filed:					
Numbered Cases	107	69	55	88	319
Extensions of Time	93	41	26	51	211
Unnumbered Cases	<u>115</u>	<u>55</u>	<u>31</u>	<u>48</u>	<u>249</u>
TOTAL MOTIONS FILED	315	165	112	187	779
Motions Terminated:					
Numbered Cases	108	70	56	91	325
Extensions of Time	85	42	26	50	203
Unnumbered Cases	<u>109</u>	<u>59</u>	<u>29</u>	<u>48</u>	<u>245</u>
TOTAL MOTIONS TERM'D	302	171	111	189	773
Motions Pending:					
Numbered Cases	70	47	31	69	217
Extensions of Time	20	5	2	5	32
Unnumbered Cases	<u>31</u>	<u>21</u>	<u>4</u>	<u>17</u>	<u>73</u>
TOTAL MOTIONS PENDING	121	73	37	91	322
Opins. Circulating	24	28	1	21	74
Opins. Approved but not Released	2	11	6	7	26
	I	II	III	IV	TOTAL
Pet. for Bypass Filed	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>
Civil	2	0	0	0	2
Criminal	0	0	0	0	0
Certifications Filed	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>1</u>
Civil	0	0	0	1	1
Criminal	0	0	0	0	0
Pet. for Review Filed	<u>28</u>	<u>15</u>	<u>8</u>	<u>19</u>	<u>70</u>
Civil	11	10	4	10	35
Criminal	17	5	4	9	35

Status of Pending Cases as of November 30, 2004:

APPELLATE DISTRICT	I		II		III		IV		TOTAL
Awaiting Record	<u>87</u>		<u>43</u>		<u>60</u>		<u>71</u>		<u>261</u>
Civil	50	1-1/4	23		37		37	1-4/1	147
Criminal	37		20		23		34	1-4/1, 1-4/3	114
Applt. Brief Due	<u>86</u>		<u>53</u>		<u>47</u>		<u>67</u>		<u>253</u>
Civil	38		30		34	1-3/4	42	2-4/2	144
Criminal	48		23		13		25		109
Applt. Brief Overdue	<u>1</u>		<u>0</u>		<u>0</u>		<u>1</u>		<u>2</u>
Civil	0		0		0		1		1
Criminal	1		0		0		0		1
Respt. Brief Due	<u>77</u>		<u>41</u>		<u>43</u>		<u>46</u>		<u>207</u>
Civil	28		19		21		25		93
Criminal	49		22		22		21		114
Respt. Brief Overdue	<u>1</u>		<u>0</u>		<u>0</u>		<u>0</u>		<u>1</u>
Civil	1		0		0		0		1
Criminal	0		0		0		0		0
Other Brief Due	<u>0</u>		<u>2</u>		<u>1</u>		<u>0</u>		<u>3</u>
Civil	0		2		1		0		3
Criminal	0		0		0		0		0
Reply Brief Due	<u>27</u>		<u>12</u>		<u>13</u>		<u>21</u>		<u>73</u>
Civil	14		8		6		15		43
Criminal	13		4		7		6	1-4/2	30
Cases W/Motions or Writs Pending	<u>88</u>		<u>46</u>		<u>32</u>		<u>56</u>		<u>222</u>
Civil	48		32		23	1-3/4	43		146
Criminal	40	1-1/4	14		9		13		76
Ready for Screening	<u>99</u>		<u>100</u>		<u>66</u>		<u>48</u>		<u>313</u>
Civil	46	2-1/4	55	1-2/4	58	12-3/4	40	1-4/3	199
Criminal	53	1-1/4	45		8	7-3/4	8	1-4/2	114
Assigned for Oral Arg.	<u>7</u>		<u>2</u>		<u>0</u>		<u>0</u>		<u>9</u>
Civil	6		2		0		0		8
Criminal	1		0		0		0		1
Under Submission	<u>230</u>		<u>119</u>		<u>85</u>		<u>216</u>		<u>650</u>
Civil	43	8-1/4	53	3-2/4	28	1-3/4	101		225
Civil/FT	0		0		3		2		5
Criminal	187	7-1/2, 4-1/3,	66		54		113	8-4/2, 5-4/1	420
Criminal/FT	0	27-1/4	0		0		0		0
No Merit & Awaiting NM	<u>60</u>		<u>18</u>		<u>28</u>		<u>21</u>		<u>127</u>
Civil	4		0		4		0		8
Criminal	56		18		24		21		119
HOLD Status	<u>5</u>		<u>7</u>		<u>9</u>		<u>14</u>		<u>35</u>
Civil	4		5		8		13		30
Criminal	1		2		1		1		5
TOTAL CASES PENDING	<u>768</u>		<u>443</u>		<u>384</u>		<u>561</u>		<u>2156</u>
Civil	282		229		223		319		1053
Criminal	486		214		161		242		1103

Wisconsin Court of Appeals

Explanation of Termination Categories

OPINIONS

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

SUMMARY DISPOSITIONS

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

MEMO OPINIONS

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

OTHER

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

Please Note: Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.